

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF TENNESSEE
SOUTHERN DIVISION

In re:) Chapter 13
MARVEL E LAWSON JR)
Debtor(s)) Case No. 19-12632 SDR
)

**TRUSTEE’S OBJECTION TO CLAIM NO. 005 OF PINNACLE CREDIT SERVICES
DUE TO STATUTE OF LIMITATIONS**

NOTICE OF OPPORTUNITY TO OBJECT AND FOR HEARING

Notice is hereby given that:

Pursuant to E.D. Tenn. LBR 9013-1(h), the court may consider this matter without further notice or hearing unless a party in interest files an objection. If you object to the relief requested in this paper, you must file with the clerk of the court at Historic U.S. Courthouse, 31 East 11th Street, Chattanooga, TN 37402, an objection within 30 days from the date this paper was filed and serve a copy on the movant’s attorney, Trial Attorney, Chapter 13 Trustee, P.O. Box 511, Chattanooga, TN 37401. If you file and serve an objection within the time permitted, the court will schedule a hearing and you will be notified. If you do not file an objection within the time permitted, the court will consider that you do not oppose the granting of relief requested in this paper and may grant the relief requested without further notice or hearing.

Your claim may be reduced, modified or eliminated. You should read these papers carefully discuss them with your attorney, if you have one in this bankruptcy case. If you do not have an attorney, you may wish to consult one.

Comes Kara L. West, Chapter 13 Trustee (“Trustee”), objects to the allowance of the claim identified below and respectfully reports the following representations from the record in support of this objection:

1. The Debtor(s) filed their petition of bankruptcy on 6/26/19.
2. The claimant is PINNACLE CREDIT SERVICES and the court’s claim number is 005 which was filed on 08/30/2019. The Last Transaction Date listed on the claim attachment is 7/28/2012.
3. This claim is barred by the six (6) year statute of limitations under Tenn. Code Ann.

§28-3-109 and should be disallowed in accordance with 11 U.S.C. § 502(b)(1).

WHEREFORE, the Trustee prays that this Court enters an order disallowing the above claim in the amount of \$669.48.

Respectfully submitted,

By: s/ Kara L. West
Kara L. West (TN No. 25744)
Chapter 13 Standing Trustee
P.O. Box 511
Chattanooga, TN 37401
(423) 265-2261

CERTIFICATE OF SERVICE

I hereby certify that on November 4, 2019 a copy of the Trustee's Objection to Claim due to Statute of Limitations and Proposed Order were served on those listed below as indicated:

Via electronic noticing:

BRENT JAMES - ECF
US Trustee – ECF
Bankruptcy Court – ECF

Via U.S. First Class mail, postage prepaid, to the following entities at the address listed:

Debtor: MARVEL E LAWSON JR, 1508 WILSON ROAD, , ROSSVILLE, GA 30741
Creditor: PINNACLE CREDIT SERVICES, %RESURGENT CAPITAL SERVICES, PO BOX 10587,
GREENVILLE, SC 29603-0587
Creditor Noticing Address: PINNACLE CREDIT SERVICES, LLC %RESURGENT CAPITAL
SERVICES PO BOX 10587 GREENVILLE, SC 29603-0587

s/ Kara L. West w/permission by KHE(80)
Chapter 13 Trustee
P.O. Box 511
Chattanooga, TN 37401-0511
(423) 265-2261